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## PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No.: 112855.121 US3)

Applicant: COHEN, et al.  
Serial No.: 10/725,673  
Filing Date: December 3, 2003  
Title: PROVIDER ACTIVATED SOFTWARE FOR MOBILE COMMUNICATION DEVICES  
Examiner: Not Yet Assigned  
Group Art Unit: 2681  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

Date: 6/14/04

Sarah L. Farris

## TRANSMITTAL LETTER

Commissioner:

The following documents are enclosed for filing in the above-identified patent application:

1. Information Disclosure Statement;
2. FORM PTO-1449, including 5 references;
3. Copy of the International Search Report from PCT/US03/38379; and
4. Return Postcard.

The Commissioner is hereby authorized to charge any fees necessary to maintain the pendency of this application to Deposit Account No. 08-0219.

Date:

June 11, 2004

Respectfully submitted,

Eric L. Prahl

Registration No. 32,590

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner:

Applicants and their legal representatives hereby make of record on the attached PTO Form-1449 publications, which are known to them and considered warranting disclosure under 37 C.F.R. §1.56. Copies of each of these publications are enclosed.

These publications were cited in an International Search Report issued in connection with a counterpart Patent Cooperation Treaty application No. PCT/US03/38379 not more than three months prior to the filing of this statement. A copy of the International Search Report is also enclosed for the Examiner's review.

It is respectfully requested that the information above be expressly considered during the prosecution of this application and that the publications be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In this regard, it is requested that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next Patent Office Communication.

COHEN, et al.  
U.S.S.N. 10/725,673  
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This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art. If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

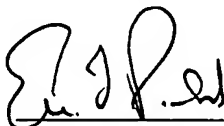
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits and is therefore submitted as both timely and proper; therefore, no fees are believed to be due.

The Commissioner, however, is hereby authorized to charge any fees necessary to maintain the pendency of this application to Deposit Account No. 08-0219.

Date: Apr 11, 2004

Respectfully submitted,



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Subt. Form PTO-1449				Docket Number 112855.121 US3		Application Number 10/725,673	
<b>INFORMATION DISCLOSURE IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>				Applicant <b>COHEN, et al.</b>			
				Filing Date <b>December 2, 2003</b>		Group Art Unit <b>2681</b>	
Sheet	<b>1</b>	OF	<b>1</b>				

U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,295,291	9/25/01	Larkins	370	352	
	5,794,142	8/11/98	Vantila, et al.	455	419	

Foreign Patent Documents							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	199 59 903	6/13/01	DE				
	1 043 906	10/11/00	EP				
	1 263 248	12/4/02	EP				

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)		

EXAMINER	DATE CONSIDERED
<b>EXAMINER:</b> Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.	